

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Draft Environmental Assessment for the Kika de la Garza Subtropical Agricultural Research Center Land Transfer

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of the Draft Environmental Assessment for the Kika de la Garza Subtropical Agricultural Research Center Land Transfer.

**SUMMARY:** In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, and the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, the United States Department of Agriculture (USDA) has prepared a Draft Environmental Assessment (EA) for the proposed transfer of approximately 70 acres of land and associated buildings at the Kika de la Garza Subtropical Agricultural Research Center (KSARC) from the USDA Agricultural Research Service (ARS) in Weslaco, Texas, to The Texas A&M University System (TAMUS). The KSARC is divided into two separate properties, with the main research station located at 2413 East Highway 83, Weslaco, Texas 77840 and a research farm located at 2301 South International Boulevard, Weslaco, Texas 77840. This notice is announcing the opening of a 30-day public comment period.

**DATES:** Comments must be received on or before August 30, 2013.

**ADDRESSES:** You may submit comments related to the proposed KSARC Land Transfer by any of the following methods: Email: [phil.smith@ars.usda.gov](mailto:phil.smith@ars.usda.gov), Fax: 979-260-9344. Mail: USDA-ARS-WBSC, 1001 Holleman Drive East, College Station, Texas 77840. Copies of the Draft EA for the KSARC Land Transfer are available for public inspection during normal

business hours at the following locations:

- Weslaco Public Library, 525 South Kansas Avenue, Weslaco, Texas 78596
- Larry Ringer Library, 1818 Harvey Mitchell Parkway South, College Station, Texas 77845

**FOR FURTHER INFORMATION CONTACT:** Phil Smith, Acting Property Team Lead, USDA-ARS-WBSC, 1001 Holleman Drive East, College Station, Texas, 77840; 979-260-9449.

**SUPPLEMENTARY INFORMATION:** The USDA is proposing to transfer approximately 70 acres of land and facilities at the KSARC from USDA-ARS in Weslaco, Texas, to TAMUS. As a condition of the transfer, TAMUS would commit to using the property for agricultural and natural resources research for a period of 25 years, supporting the strategic goals of USDA and establishing a Beginning Farmers and Ranchers Program at the Property. TAMUS would assume responsibility and maintenance of the constructed facilities and land to be conveyed from USDA. The KSARC has been in operation as a USDA-ARS research facility since 1960, with the mission "to increase food and fiber productivity by developing new technology for safe and efficient agricultural production methods and by conserving natural resources and protecting the environment." The facility was closed under Public Law (Pub. L.) 112-55, Consolidated and Further Continuing Appropriations Act, 2012 and is currently being utilized in a very limited capacity by researchers from other ARS locations. Under the terms of the Public Law, the Secretary of Agriculture will decide whether to formally transfer the Property from USDA to TAMUS or have USDA retain possession of the Property. If the decision is made to transfer the Property, it will be done with no monetary cost to TAMUS and a Deed Without Warranty will be prepared by the USDA to convey the title/property rights to TAMUS. The Deed Without Warranty would incorporate any use restrictions identified by the NEPA process, as well as the 25-year use restriction for agricultural and natural resources research as required by Section 732 of the Public Law. Two alternatives are analyzed in the Draft EA, the No Action Alternative and the Proposed Action. The draft EA addresses potential impacts of these

alternatives on the natural and human environment.

- **Alternative 1—No Action.** The USDA would retain possession of the approximate 70 acres of land and facilities at the KSARC. The USDA would no longer operate and/or maintain approximately 85-90% of the property and it would likely fall into a state of disrepair. The USDA will continue ongoing research funded by other Locations on the remaining 10-15% of the property.

- **Alternative 2—Proposed Action.** The USDA would formally transfer approximately 70 acres of land at the KSARC to TAMUS. As a condition of the transfer, TAMUS would commit to using the Property for agricultural and natural resources research for a period of 25 years, supporting the strategic goals of USDA and establishing a Beginning Farmers and Ranchers Program at the Property. TAMUS would assume responsibility and maintenance of the constructed facilities and land to be conveyed from USDA.

In addition, one alternative was considered in the Draft EA but eliminated from detailed study. In this alternative, USDA would retain possession of the land and it would be transferred to the General Services Administration for disposal. Since it cannot reasonably be determined who would ultimately take possession of the property and how it would be utilized, it was not analyzed in detail in the EA. The USDA will use and coordinate the NEPA commenting process to satisfy the public involvement process for Section 106 of the National Historic Preservation Act (16 U.S.C. 470(f) as provided for in 36 CFR 800.2(d)(3)). Following the public comment period, comments will be used to prepare the Final EA. The USDA will respond to each substantive comment by making appropriate revisions to the document or by explaining why a comment did not warrant a change. A Notice of Availability of the Final EA will be published in the **Federal Register**. All comments, including any personal identifying information included in the comment will become a matter of public record. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: July 23, 2013.

**Edward B. Knipling,**

*Administrator, Agricultural Research Service.*

[FR Doc. 2013-18845 Filed 8-2-13; 8:45 am]

**BILLING CODE 3410-03-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

#### Notice of Intent to Grant Exclusive License

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of intent.

**SUMMARY:** Notice is hereby given that the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to Central Washington Grain Growers, Inc. of Waterville, Washington, an exclusive license to the pea variety named "Lynx".

**DATES:** Comments must be received on or before September 4, 2013.

**ADDRESS:** Send comments to: USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Rm. 4-1174, Beltsville, Maryland 20705-5131.

**FOR FURTHER INFORMATION CONTACT:** June Blalock of the Office of Technology Transfer at the Beltsville address given above; telephone: 301-504-5989.

**SUPPLEMENTARY INFORMATION:** The Federal Government's rights in this plant variety are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this plant variety as Central Washington Grain Growers, Inc. of Waterville, Washington has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within thirty (30) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

**Robert Griesbach,**

*Deputy Assistant Administrator.*

[FR Doc. 2013-18847 Filed 8-2-13; 8:45 am]

**BILLING CODE 3410-03-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2012-0020]

#### Monsanto Co.; Availability of Plant Pest Risk Assessment and Environmental Assessment for Determination of Nonregulated Status of Soybean Genetically Engineered for Increased Yield

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service is making available for public comment our plant pest risk assessment and our draft environmental assessment regarding a request from the Monsanto Company seeking a determination of nonregulated status of soybean designated as MON 87712, which has been genetically engineered for increased yield. We are soliciting comments on whether this genetically engineered soybean is likely to pose a plant pest risk.

**DATES:** We will consider all comments that we receive on or before September 4, 2013.

**ADDRESSES:** You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2012-0020>.
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS-2012-0020, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0020> or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

Supporting documents are also available on the APHIS Web site at [http://www.aphis.usda.gov/biotechnology/petitions\\_table\\_pending.shtml](http://www.aphis.usda.gov/biotechnology/petitions_table_pending.shtml) under APHIS Petition Number 11-202-01p.

**FOR FURTHER INFORMATION CONTACT:** Dr. Rebecca Stankiewicz Gabel, Chief, Biotechnology Environmental Analysis

Branch, Environmental Risk Analysis Programs, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 851-3927, email: [rebecca.l.stankiewicz-gabel@aphis.usda.gov](mailto:rebecca.l.stankiewicz-gabel@aphis.usda.gov). To obtain copies of the supporting documents for this petition, contact Ms. Cindy Eck at (301) 851-3892, email: [cynthia.a.eck@aphis.usda.gov](mailto:cynthia.a.eck@aphis.usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under the authority of the plant pest provisions of the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the regulations in 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests," regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered (GE) organisms and products are considered "regulated articles."

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. APHIS has received a petition (APHIS Petition Number 11-202-01p) from the Monsanto Company (Monsanto) of St. Louis, MO, seeking a determination of nonregulated status of soybean (*Glycine max*) designated as event MON 87712, which has been genetically engineered for increased yield. The petition stated that this soybean is unlikely to pose a plant pest risk and, therefore, should not be a regulated article under APHIS' regulations in 7 CFR part 340.

According to our process<sup>1</sup> for soliciting public comment when considering petitions for determinations of nonregulated status of GE organisms, APHIS accepts written comments regarding a petition once APHIS deems it complete. In a notice<sup>2</sup> published in the **Federal Register** on July 13, 2012,

<sup>1</sup> On March 6, 2012, APHIS published in the **Federal Register** (77 FR 13258-13260, Docket No. APHIS-2011-0129) a notice describing our public review process for soliciting public comments and information when considering petitions for determinations of nonregulated status for GE organisms. To view the notice, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0129>.

<sup>2</sup> To view the notice, the petition, and the comments we received, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0020>.